

SECTION III—REMARKS

This amendment is submitted in response to the Office Action mailed February 3, 2005. Claims 1, 2, 14, 17, 22, 23 and 26-31 are amended herein, and claim 13 is cancelled. Claims 1-12 and 14-42 remain pending in the application. Applicants respectfully request reconsideration of the application and allowance of all pending claims in view of the above amendments and the following remarks.

Drawing Objections

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a) because they allegedly fail to show every element specified in the claims. Specifically, the Examiner alleges that the drawings do not show the “coil transformer” recited in claim 13. Applicants have cancelled claim 13, and respectfully submit that this overcomes the Examiner’s rejection.

Specification Objections

The Examiner objected to the specification because of a typographical error at page 10, line 21. Applicants have amended the relevant paragraph to replace “form” with --from-- as suggested by the Examiner. Applicants have amended the specification consistent with the Examiner’s suggestions, and respectfully submit that this overcomes the Examiner’s objection.

Claim Objections

The Examiner objected to claim 17 because of an informality. Specifically, the Examiner alleges that it is unclear whether the “impedance matching unit” recited in the claim refers to the “input” or “output” impedance matching units recited in the base claim. Applicants have amended the claim so that it now refers to both the input and output impedance matching units of the base claim, consistent with claims 18-21.

Rejections Under 35 U.S.C. § 112

The Examiner rejected claims 26-30 under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and claim the subject matter which the Applicant regards as the invention.

The Examiner alleges that claim 26 is unclear because it lacks antecedent basis for “the output impedance matching unit” and asks whether claim 26 should properly depend from claim 23. It should, and Applicants have amended claim 26 accordingly. Applicants submit that this overcomes the Examiner’s rejection.

The Examiner alleges that claims 27-29 are unclear because they lack antecedent basis for “the system” and asks whether these claims should properly depend from claim 23. They should, and Applicants have amended the claims accordingly. Applicants submit that this overcomes the Examiner’s rejection.

The Examiner alleges that claim 30 is unclear because it is identical to the claim from which it depends and asks whether it should properly depend from claim 23. Furthermore, the Examiner asks whether in line 1 “apparatus” should be changed to “system” as recited in claim 23. The Examiner is correct on both counts, and Applicants have amended claim 30 accordingly.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1-3, 6, 7, 14-16, 19, 20, 22-25, 28, 29, 31, 32, 35, 37 and 41 as anticipated under 35 U.S.C. § 102(e) and 102(a) by U.S. Patent Application Publication No. 2003/0067368 to Ohara *et al.* (“Ohara”). The Examiner further rejected claims 1-3, 12 and 22 as anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 6,670,866 to Ella *et al.* (“Ella”).

Applicants respectfully traverse the Examiner’s rejections. A claim is anticipated only if each and every element, as set forth in the claim, is found in a single prior-art reference. MPEP

§ 2131; *Verdegaal Bros. v. Union Oil of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

As further explained below, Ohara and Ella cannot anticipate the claims they were used to reject because they do not disclose every element and limitation recited therein.

Claim 1, as amended, recites a combination including a film bulk acoustic resonator (FBAR) filter having an input and an output and an impedance matching unit coupled to one of the input and the output of the FBAR filter “wherein the impedance matching unit matches the impedance of the FBAR to the impedance of an input circuit coupled to the input or an output circuit coupled to the output based upon the effective area of the FBAR filter.” Neither Ohara nor Ella disclose that the impedance matching unit matches the impedance of the FBAR to an input or output circuit based on the effective area of the FBAR filter, and therefore neither reference can anticipate this claim. Applicants therefore respectfully request withdrawal of the rejection and allowance of the claim.

Claim 14, as amended, recites a combination including a film bulk acoustic resonator (FBAR) filter having an input and an output, an input impedance matching unit coupled to the input of the FBAR filter “wherein the input impedance matching unit matches the impedance of the FBAR filter to an impedance of an input circuit based on the effective area of the FBAR filter” and an output impedance matching unit coupled to the output of the FBAR filter “wherein the output impedance matching unit matches the impedance of the FBAR filter to an impedance of an output circuit based on the effective area of the FBAR filter.” By analogy to the discussion above for claim 1, Ohara cannot anticipate this claim because it does not disclose, teach or suggest a combination where the impedance is matched based on the effective area of the FBAR filter. Applicants therefore respectfully request withdrawal of the rejection and allowance of the claim.

Claim 22, as amended, recites a system combination including an input circuit and a filter coupled to the input circuit, the filter comprising a film bulk acoustic resonator (FBAR) filter having an input and an output and an input impedance matching unit coupled to the input circuit and to the input of the FBAR filter, “wherein the input impedance matching unit matches the impedance of the FBAR filter to an impedance of an input circuit based on the effective area of the FBAR filter.” By analogy to the discussion above for claim 1, Ohara and Ella cannot anticipate this claim because they do not disclose, teach or suggest a combination where the impedance is matched based on the effective area of the FBAR filter. Applicants therefore respectfully request withdrawal of the rejection and allowance of the claim.

Claim 31, as amended, recites a process combination including providing a film bulk acoustic resonator (FBAR) filter, the FBAR filter having an input impedance and an output impedance, “matching the impedance of an input circuit to the input impedance of the FBAR filter based on the effective area of the FBAR filter” and “matching the output impedance of the FBAR filter to the impedance of an output circuit based on the effective area of the FBAR filter.” By analogy to the discussion above for claim 1, Ohara cannot anticipate this claim because it does not disclose, teach or suggest a combination where the impedance is matched based on the effective area of the FBAR filter. Applicants therefore respectfully request withdrawal of the rejection and allowance of the claim.

Regarding claims 2-3, 6, 7, 15-16, 19, 20, 23-25, 28, 29, 32, 35 and 37, if an independent claim is allowable, then any claim depending therefrom is also allowable. *See generally* MPEP § 2143.03; *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). As discussed above, claim 1, 14, 22 and 31 are in condition for allowance. Applicants therefore respectfully submit that claims 2-3, 6, 7, 15-16, 19, 20, 23-25, 28, 29, 32, 35 and 37 are allowable by virtue of their dependence on allowable

independent claims, as well as by virtue of the features recited therein. Applicants therefore respectfully request withdrawal of the rejections and allowance of these claims.

Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 4, 5, 8-11, 13, 17, 18, 21, 26, 27, 30, 33, 34, 36, 38, 39, 40 and 42 under 35 U.S.C § 103(a) as obvious in view of, and therefore unpatentable over, Ohara. Applicant respectfully traverses the Examiner's rejections. If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is also non-obvious. MPEP § 2143.03; *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). As discussed above, independent claims 1, 14, 22 and 31, as amended, are in condition for allowance. Applicants therefore respectfully submit that claims 4, 5, 8-11, 13, 17, 18, 21, 26, 27, 30, 33, 34, 36, 38, 39, 40 and 42 are allowable by virtue of their dependence on allowable independent claims, as well as by virtue of the features recited therein. Applicants therefore respectfully request withdrawal of the rejections and allowance of these claims.

Conclusion

Given the above amendments and accompanying remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to allowance of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 292-8600.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

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Date: 5-3-05

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